# UNITED STATES DISTRICT COURT

for the

Western District of Missouri

Micahel Barrett, IV, et al.	) ) Case No.:2:11-cv-4242 NKL )			
v. Donald Claycomb, et al.				
•	)			
BILL O	F COSTS			
Judgment having been entered in the above entitled action on	09/16/2013 against defenda	<u>nts</u> ,		
the Clerk is requested to tax the following as costs:	Duie			
Fees of the Clerk		\$		
Fees for service of summons and subpoena				
Fees for printed or electronically recorded transcripts necessarily of	obtained for use in the case	1,468.00		
Fees and disbursements for printing		1,590.52		
Fees for witnesses (itemize on page two)		112.77		
Fees for exemplification and the costs of making copies of any manecessarily obtained for use in the case				
Docket fees under 28 U.S.C. 1923				
Costs as shown on Mandate of Court of Appeals				
Compensation of court-appointed experts				
Compensation of interpreters and costs of special interpretation se	ervices under 28 U.S.C. 1828			
Other costs (please itemize)				
	TOTAL	\$3,571.29		
SPECIAL NOTE: Attach to your bill an itemization and documen	tation for requested costs in all categories			
Decla	nration			
Othor	•	been served on all parties		
s/ Attorney: Anthony E. Rothert				
Name of Attorney: Anthony E. Rothert				
For: Plaintiffs	Date:	09/25/2013		
Name of Claiming Party	2.0			
	n of Costs			
Costs are taxed in the amount of		ncluded in the judgment.		
By: Clerk of Court Case 2:11-cy-04242-NKI Docume	Deputy Clerk			

### UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)								
	ATTENDANCE		SUBSISTENCE		MILEAGE		T. J.C.	
NAME , CITY AND STATE OF RESIDENCE	Days	Total Cost	Days	Total Cost	Miles	Total Cost	Total Cost Each Witness	
Richard Pemberton Jefferson City, Missouri	1	40.00			20	11.30	\$51.30	
Donald Claycomb Linn, Missouri	1	40.00			38	21.47	\$61.47	
							\$0.00	
							\$0.00	
	_						\$0.00	
							\$0.00	
					то	OTAL	\$112.77	

#### NOTICE

#### Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

#### See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

## The Federal Rules of Civil Procedure contain the following provisions: RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

#### **RULE 6**

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

#### **RULE 58(e)**

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.